

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF WEST VIRGINIA
AT CHARLESTON

UNITED STATES OF AMERICA

v.

CRIMINAL ACTION NO. 2:13-cr-00030

CLYDE ANDERSON, JR.

SUPERVISED RELEASE REVOCATION AND JUDGMENT ORDER
MEMORANDUM OPINION AND ORDER

On August 8, 2019, the United States of America appeared by Andrew Tessman, Assistant United States Attorney, and the defendant, Clyde Anderson, Jr., appeared in person and by his counsel, Gary Collias, for a hearing on the petition seeking revocation of supervised release submitted by United States Probation Officer Justin Gibson. The defendant commenced an eighteen-month term of supervised release in this action on October 23, 2018, as more fully set forth in the Supervised Release Revocation and Judgment Order entered by the court on July 5, 2018.

The court heard the admissions of the defendant and the representations and argument of counsel.

For reasons noted on the record of this proceeding, which are ORDERED incorporated herein by reference, the court found by a preponderance of the evidence that the defendant has violated the conditions of supervised release in the following respects: (1) on February 25, 2019, the defendant unlawfully operated a vehicle with a suspended driver's license, a crime to which he pled guilty; (2) the defendant failed to report to the probation officer as directed on each of January 30 and 31, March 15, and April 22, 2019; (3) the defendant failed to submit to random urinalysis drug screenings on each of January 29, February 8 and 21, March 12, April 9 and 19, May 3, and June 10, 2019, and further failed to participate in individual substance abuse counseling as directed by the probation officer for the months of January through April 2019; and (4) the defendant failed to participate in 30 days of GPS monitoring and comply with curfew in that he violated curfew on each of May 29 and June 7, 10, and 16, 2019; all as admitted by the defendant on the record of the hearing and all as set forth in the petition on supervised release.

And the court finding, as more fully set forth on the record of the hearing, that the violations warrant revocation of supervised release and, further, that it would unduly depreciate

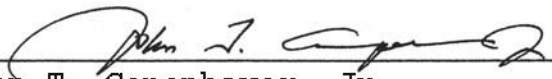
the seriousness of the violations if supervised release were not revoked, it is ORDERED that the supervised release previously imposed upon the defendant in this action be, and it hereby is, revoked.

And the court having complied with the requirements of Rule 32(a) (1) (B) and (C) of the Federal Rules of Criminal Procedure, and finding, after considering the factors set forth in 18 U.S.C. § 3583(e), that the defendant should be confined to the extent set forth below, it is accordingly ORDERED that the defendant be, and he hereby is, committed to the custody of the United States Bureau of Prisons for imprisonment for a period of THREE (3) MONTHS, with no term of supervised release to follow.

The defendant was remanded to the custody of the United States Marshal.

The Clerk is directed to forward copies of this written opinion and order to the defendant, all counsel of record, the United States Probation Department, and the United States Marshal.

DATED: August 8, 2019



John T. Copenhaver, Jr.
Senior United States District Judge